



County of Los Angeles Public Library ■ www.colapublib.org
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Margaret Donnellan Todd
County Librarian

January 08, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**AWARD A CUSTODIAL SERVICES CONTRACT
FOR THE COUNTY OF LOS ANGELES PUBLIC LIBRARY CUSTODIAL AREA 4
(SUPERVISORIAL DISTRICTS 1, 2, 3 AND 4) (3 VOTES)**

SUBJECT

The Public Library is recommending that the Board of Supervisors (Board) approve the proposed contract with Diamond Contract Services, Inc. to provide custodial services at 15 libraries located in the Public Library's Custodial Area 4 as a result of a Request for Proposal (RFP) released on January 30, 2012.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that custodial services for the Public Library's Custodial Area 4 can be performed more economically by an independent contractor than by County employees.
2. Approve and instruct the Chairman to sign the proposed contract with Diamond Contract Services, Inc., to provide custodial services at 15 libraries located in the Public Library's Custodial Area 4 for a period of four years, with one one-year renewal option, and month-to-month extensions not to exceed a total of six months, at an annual contract sum not to exceed \$283,666.81, which is comprised of the Contractor's annual fee of \$257,878.92 and an annual estimate for unanticipated work of \$25,787.89. The contract will become effective upon your Board's approval or February 1, 2013, whichever is later.
3. Approve and delegate authority to the County Librarian, or designee, to approve unanticipated work within the scope of the contract.
4. Approve and delegate authority to the County Librarian, or designee, to execute amendments to

increase or decrease the number or size of facilities or the days of service covered by the contract over the contract term, and to adjust the Contractor's annual fee included in the annual contract sum due to such increases or decreases, not to exceed ten percent (10%) of the annual contract sum originally approved by the Board.

5. Approve and delegate authority to the County Librarian, or designee, to execute amendments to modify the annual estimate for unanticipated work included in the annual contract sum, not to exceed 10% of the Contractor's annual fee, based on future approved changes to the Contractor's annual fee.

6. Approve and delegate authority to the County Librarian, or designee, to execute amendments to exercise the renewal option and month-to-month extensions not to exceed six months under the terms of the contract.

7. Approve and delegate authority to the County Librarian, or designee, to execute a substantially similar contract to the next highest ranked proposer identified in the RFP process, at an amount not to exceed the annual contractor's fee submitted by the next highest ranked proposer in response to the RFP plus ten percent (10%) for the annual estimate for unanticipated work, to ensure the continuity of custodial services at the 15 libraries located in the Public Library's Custodial Area 4 in the event of early contract termination with the recommended Contractor, provided County Counsel approval is obtained prior to execution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Custodial services are essential to the Public Library's operation. Approval of the recommended actions will ensure that the 15 libraries located in the Public Library's Custodial Area 4, as detailed in Attachment A, continue to receive custodial services with no lapse in service.

The award of a contract for custodial services to Diamond Contract Services, Inc., is part of a continuing effort by the Public Library to provide the best possible service at the lowest responsible cost. The recommended actions are submitted based upon a finding that the provision of custodial services for the affected County facilities can be performed more economically by an independent contractor. The contract with Diamond Contract Services, Inc., will become effective upon your Board's approval or February 1, 2013, whichever is later.

Implementation of Strategic Plan Goals

Approval of the recommended award is consistent with the County's Strategic Plan Goals in the area of Operational Effectiveness (Goal 1).

FISCAL IMPACT/FINANCING

The annual contract sum of \$283,666.81 will allow the payment of the Contractor's annual fee of \$257,878.92, and the annual estimate for unanticipated work of \$25,787.89, 10% of the Contractor's annual fee.

Funding for the annual contract sum is included in the Public Library's Fiscal Year 2012-13 Operating Budget. Actual usage of this contract for unanticipated work will be based on actual need. If no such need arises, the contract amount and funding for unanticipated work will not be

used or expended.

The recommended Contractor's annual cost of \$257,878.92 represents a cost savings of \$65,945 (20%) over the estimated County cost (including start-up costs) to perform similar services for the first year. The cost analysis in Attachment B is calculated based on the Revised Proposition A Contract Cost Format developed by the County Auditor-Controller's guidelines. The proposed contract does not include any cost-of-living increases.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Representatives of SEIU Local 721 were notified but did not require a meeting with the Public Library regarding the proposed contract. Advanced copies of the Request for Proposal, the proposed contract and the Board Letter have been provided to SEIU Local 721.

Under the provisions of Section 2.121.250 through Section 2.121.420 of the Los Angeles County Code, proposals were solicited for the provision of custodial services at the 15 libraries located in the Public Library's Custodial Area 4. All requirements of County Code Section 2.121.380 have been met and there is no conflict of interest.

This contract is in compliance with the mandatory living wage requirements as set forth in Los Angeles County Code Chapter 2.201 (Living Wage Program). The Department has evaluated and determined that the contractor fully complies with the requirements of the Living Wage Program and the contractor has certified that it will comply with all terms, conditions, and requirements of the County's Living Wage Program and agrees to pay its full-time employees providing County services a living wage.

The proposed contract contains a provision, (which the recommended contractor agrees), that requires the contractor to give first consideration for any employment openings to qualified permanent County employees who are targeted for layoffs or on the County's re-employment list during the life of the contract. The recommended contractor further agrees to comply with all County standard terms and conditions, including indemnification and insurance requirements, Child Support Compliance Program, Defaulted Property Tax Reduction Program, Jury Service Program and the Safely Surrendered Baby Law.

The proposed contract also contains a provision that requires the recommended contractor to provide and maintain a performance security throughout the term of the contract. The performance security will be written in an amount equal to 100% of the Contractor's annual fee.

On final analysis and consideration of the awards, the recommended contractor was selected without regard to gender, race, color, creed, or national origin.

County Counsel has reviewed and approved the proposed contract as to form.

ENVIRONMENTAL DOCUMENTATION

The recommended actions are not subject to the California Environmental Quality Act (CEQA) because they do not constitute a project according to Section 15378 of CEQA.

CONTRACTING PROCESS

On January 30, 2012, proposals were solicited through the Internal Services Department's purchasing website, from the vendors listed on Attachment C. Proposals were also solicited from vendors listed in the County Office of Affirmative Action Compliance's Community Business Enterprise (CBE) Database.

Advertisements were placed in the Los Angeles Times, Daily News, and Metropolitan News Enterprise.

On February 13, 2012, the mandatory proposers' conference was held to provide prospective contractors with an overview of the solicitation document and process. Contractors were informed of the County's Living Wage Program and Contractor Responsibility and Debarment provisions.

On March 3, 2012, the Public Library received a total of three proposals. One proposal was disqualified for being non-responsive, and another proposal was disqualified for lack of experience. Diamond Contract Services Inc., was evaluated in April 2012. The CBE information is summarized in Attachment D.

The proposal was evaluated utilizing the informed averaging scoring method and rated on the following criteria: proposer's qualifications; proposer's approach to providing required services; proposer's quality control plan; living wage compliance and cost. All related evaluation materials and scoring documents were retained. The Public Library also reviewed available resources to assess the recommended contractors' past performance, and history of labor law violations.

The Public Library determined, through the solicitation process, that custodial services for Custodial Area 4 can be performed more economically by an independent contractor, and recommends awarding a contract to Diamond Contract Services, Inc.

Diamond Contract Services, Inc., will pay its full-time employees providing County services a living wage of not less than \$11.84 per hour, if contractor contributes less than \$2.20 per hour towards health care benefits, or not less than \$9.64 per hour, if contractor contributes at least \$2.20 per hour towards health care benefits. The Proposition A Contract – Employee Wages & Benefits form summarizing and comparing the contractor's wages and benefits to those of the County is attached (Attachment E).

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the proposed contract will assure the continuation of custodial services at the Public Library's Custodial Area 4 facilities without interruption.

CONCLUSION

Please return to the Public Library two fully conformed copies of the contract with original signatures.

The Honorable Board of Supervisors

1/8/2013

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Respectfully submitted,

A handwritten signature in cursive script, reading "Margaret Donnellan Todd". The signature is written in dark ink on a light background.

MARGARET DONNELLAN TODD

County Librarian

MDT:YDR:EM:ml

Enclosures

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller